

REMARKS

Applicant is filing herewith a new Information Disclosure Statement to make of record additional US Patent Publications. In addition, applicant has again identified the two Japanese references which were included in the IDS filed on March 15, 2005 which the Examiner has refused to enter. A copy of each Japanese application and an English translation is attached. Japanese patent publication 51-150511 consists of only one page. Applicant has fully satisfied the requirements of 37CFR 1.98(a)(2) and all of the references in the IDS should be made of record.

The rejection of claims 1-12 under 35 USC 102(b) as being anticipated by Walsh et al US Patent No. 5,349,988 or by Moreiras et al US Patent No. 5413147 or alternatively under 35USC102(e) by Fritz et al US Patent No. 6623046 is respectfully traversed.

Applicant has amended claim 1 to the arrangement representing the preferred embodiment of the present invention in which the bellows metallic tube inner layer is composed of a corrugated bellows portion and a restricted non-corrugated straight portion having a uniform thickness. Moreover, the rigid insert pipe has a groove adjacent one end of the hose body and the metallic sleeve includes a flange located in alignment with the groove. In addition, the restricted non-corrugated straight portion extends axially beyond the longitudinal edge of said hose body and flange such that upon compressing the jacket against the rigid insert pipe the flange engages the groove so that the extended non-corrugated straight portion is held securely between the flange and groove at the longitudinal end of the hose body. It should be understood that the jacket which surrounds the bellows metallic tube inner layer is composed of a plurality of layers which includes an inner layer which is contiguous to said restricted non-corrugated straight portion of said bellows metallic tube inner layer. The inner layer of the jacket is composed of a flexible and hard material of a rubber or resin composition possessing a tensile modulus of between 4MPa and 8MPa for a composition of rubber and above 300MPa for a resin material composition. Applicant believes the Examiner may have misinterpreted the inner layer of the jacket and the bellows metallic tube inner

layer when alleging that the references teach a tensile modulus of between 4MPa and 8MPa for a composition of rubber and above 300MPa for a resin material composition. There is no teaching in any of the cited references of a jacket having a plurality of layers with its inner layer lying contiguous to the restricted non-corrugated straight portion of the bellows metallic tube nor any teaching of a restricted non-corrugated straight portion which is of a uniform thickness. Furthermore, there is no teaching of what the material composition of the inner jacket layer lying contiguous to the restricted non-corrugated straight portion should be. It is this later requirement which is critical to the subject invention..

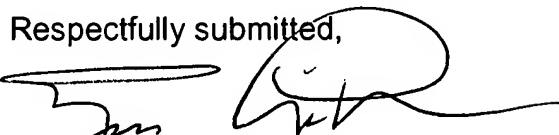
By securing the seams between the restricted non-corrugated straight portion and the inner jacket supporting layer using a very hard material the expansion and contraction of the hose can be regulated. This is the reason for using a very hard material layer for the layer lying contiguous to the restricted non-corrugated straight portion. None of the above references cited by the Examiner teach or suggest such an arrangement. In fact, the Walsh reference bends the socket 48 to deliberately crush the end portion of the corrugated hose. This results in a non-uniform uneven thickness of the straight portion with the top part of the corrugated hose thicker than other parts of the hose. This will cause a difference in the density of compression of the reinforcing layer 14, layer 16 and cover 18 resulting in a less durable product.

In the arrangement of the metallic tubular hose as claimed in amended claim 1 the straight portion 28 is prevented from being dislocated in an axial direction and the material composition of the inner jacket layer lying contiguous to the restricted non-corrugated straight portion is composed of a flexible and hard material of a rubber or resin composition possessing a tensile modulus of between 4MPa and 8MPa for a composition of rubber and above 300MPa for a resin material composition . The significance of the inner layer being of a very hard material as claimed is to prevent the straight portion from stretching. This is not taught in any of the cited references.

For all of the above reasons the rejection of claim 1 under 35USC102 or for that matter under 35USC103 based upon either of the above references Walsh et al, Moreiras et al or Fritz et al should be withdrawn. Claims 2-12 are dependent claims which are patentable for the same reasons as given above.

Reconsideration and allowance of claims 1-12 is respectfully solicited.

Respectfully submitted,

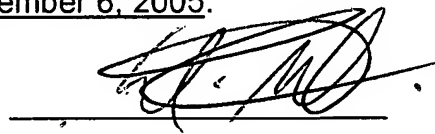


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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 6, 2005.



Date: September 6, 2005